

NOTICE OF HEARING

Notice is hereby given that appeals from the ruling of the Planning and Development Director have been taken to the Board of Adjustment in the following cases:

1. Carl Adkins is requesting a variance of Section 7-14-1 (a) of the UDO (variance addresses side and rear setbacks) in order to construct detached accessory structure in the rear yard at 26 Sylvan Ave., PIN Map # 9639.16-73-5486, zoned RS-8.
2. Dudley Wilson & Alice Coblenz are requesting a variance of Section 7-8-4 (f) (5) of the UDO (variance addresses front setback) in order to construct an addition at 9 Marne Rd., PIN Map # 9648.12-95-4036, zoned RS-8.
3. Charlie Widner and Rebecca Daun are requesting a variance of Section 7-13-4 (c) (b) and 7-13-4 (c) (2) (b) of the UDO. Variance addresses the allowed attached tenant identification signage in a multi-tenant development and would permit said signage to be a freestanding sign, rather than attached, and would allow a total of 4 (four) freestanding signs to be placed in the multi-tenant development at 379 Biltmore Avenue, PIN Map # 9648.10-45-0297, zoned INST.
4. Theresa W. Hyler, Agent George Hyler is appealing the interpretation of the Planning Director that **the property owner is required to get a permit in accordance with City Code Sec. 7-11-2 prior to removing any landscaping from the property and that the owners removal of street trees without a permit was in violation of City Code Sec. 7-11-2(f)(5)** at 1996 Hendersonville Road., PIN Map # 9655.17-00-9786, zoned HB.
5. Theresa W. Hyler, Agent George Hyler is appealing the interpretation of the Planning Director that **the property owner made changes to the existing signage on the property without a valid permit as set forth in City Code Sec. 7-13-2 and that the signage in question is in violation of City Code Sec. 7-13-4** at 1996 Hendersonville Road., PIN Map # 9655.17-00-9786, zoned HB.
6. McDonalds Corporation, Agent Craig Justus is appealing the interpretation of the Planning Director that certain arc design elements on the building are signs as set forth in City Code Sec. 7-2-5 at 850 Brevard Road., PIN Map # 9626.11-77-4280, zoned RB.
7. David Sweatt, Agent Craig Justus is appealing the interpretation of the Planning Director that the properties located at 47, 53, and 55 Rutherford Road., have maintained uses non-conforming to the current Community Business II (CB-II) zoning district and that those uses have not ceased in operation for a period greater than 180 days.

These appeals will be heard at a regular meeting of the Board of Adjustment on October 22, 2007, at 2:00 p.m. in the First Floor Conference Room, of the City Hall Building. All persons with disabilities that need auxiliary aid should contact the ADA Coordinator at 259-5800, TTY number 259-5548, at least 72 hours prior to the public hearing. If a Court Report is needed for your case, then you are responsible for making those arrangements and notifying the Board of Adjustment Secretary.

Patti Case, Planning Technician